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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/005,580 | 11/07/2001 | Glenn R. Engel | 10003418-1 | 8127 |
| 7590 | 03/23/2005 | | EXAMINER | |
| AGILENT TECHNOLOGIES, INC. | | | QURESHI, SHABANA | |
| Legal Department, DL429 Intellectual Property Administration P.O. Box 7599 Loveland, CO 80537-0599 | | | ART UNIT | PAPER NUMBER |
| | | | 2155 | |
| DATE MAILED: 03/23/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/005,580 | ENGEL, GLENN R. | |
| | Examiner Shabana Qureshi | Art Unit 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 November 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 November 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5/6/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Claims 1-15 are pending in this office action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 8 recites the limitation "said registration message" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Adolfsson (U.S. Patent No. 6,092,078).

As per claim 1, Adolfsson teaches a data collection node comprising:
an interface for receiving signals from a sensor (column 3, lines 4-16);

an interface for connecting said data collection node to a computer network
(Figures 1-4); and
a controller for generating data based on measurements of said received signals
and communicating that data to a server via said computer network (column 2, lines 55-63).

As per claim 2, Adolfsson teaches said controller causes said data collection node to be registered with said server connected to said computer network when said data collection node is first activated on said computer network (column 4, lines 8-18 and column)..

As per claim 3, Adolfsson teaches said controller communicates said data via HTTP (column 3, lines 50-52).

As per claim 4, Adolfsson teaches said controller receives data from said server that determines a measurement to be made by said controller (column 2, line 55 – column 3, line 16).

As per claim 5, Adolfsson teaches said controller communicates with said server via a proxy server on said computer network (column 6, lines 20-25).

As per claim 6, Adolfsson teaches a clock for generating time readings that are included with data that is communicated to said server column 8, lines 53-65 and column 9, line 65- column 10, line 10).

As per claim 7, Adolfsson teaches said clock is set via a message received from said server (column 8, lines 53-65 and column 9, line 65-column 10, line 10).

As per claim 8, Adolfsson teaches a method for operating a computer network to collect data, said method comprising the steps of:

providing a data collection node connected to said network (Figure 1, element 3106), said data collection node comprising:

an interface for receiving signals from a sensor (column 3, lines 4-16); and

a controller for generating data based on measurements of said received signals

and communicating that data to a server via said computer network (column 2, lines 55-63);

causing said server to provide a web page for accessing data generated by said controller in response to receiving said registration message (Figure 3, column 3, lines 53-56 and column 4, lines 19-40); and

causing said controller to send a message to said server containing data generated by said controller after said controller sends said registration message (column 4, lines 8-18).

As per claim 9, Adolfsson teaches the step of causing said controller to send a registration message to said server prior to communicating said data to said server (column 4, lines 8-18).

As per claim 10, Adolfsson teaches said controller communicates said message containing said data via HTTP (column 3, lines 50-52).

As per claim 11, Adolfsson teaches said controller receives data from said server that determines a measurement made by said controller (column 2, line 55 – column 3, line 16).

As per claim 12, Adolfsson teaches said controller communicates with said server via a proxy server on said computer network (column 6, lines 20-25)..

As per claim 13, Adolfsson teaches said data collection node further comprises a clock for generating time readings that are included with data that is communicated to said server (column 8, lines 53-65 and column 9, line 65-column 10, line 10).

As per claim 14, Adolfsson teaches the step of resetting said clock to a time determined by a message received from said server (column 8, lines 53-65 and column 9, line 65-column 10, line 10).

As per claim 15, Adolfsson teaches the step of providing access to said Web page via the Internet (Figure 3, column 2, lines 55-63 and column 3, lines 17-21).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (571) 272-3990. The examiner can normally be reached on Monday - Thursday, 9:30 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi
Examiner
Art Unit 2155

SQ
March 19, 2005


HOSAIN ALAM
INTERIMORY PATENT EXAMINER